

**Amendments to the Drawings:**

The attached sheets of drawings replace the previously filed drawings. As per the Office Action, the previously filed drawings were not readable. The Applicant submits that no changes have been made and that the attached drawing sheets are identical to the originally filed drawings.

## **REMARKS**

The undersigned attorney thanks Examiner Gergiso for his careful review of this patent application. Reconsideration of the present application is respectfully requested in view of the following remarks. After entry of the present amendment, Claims 20-39 will be pending in this Application with claims 1-19 being cancelled.

In the specification, paragraph [0020] has been amended to correct a minor editorial problem.

### **The 9/16/2005 Preliminary Amendment**

The Examiner objected to the Preliminary Amendment filed September 16, 2005 under 35 USC § 132(a) because it introduces new matter into the disclosure. Based on the Office Action, the Applicant believes that the Preliminary Amendment was not entered and that, prior to the entry of this Response and Amendment to Office Action, the pending application is as it was originally filed and as it was published in U.S. Patent Publication Number 2004/0107358. Applicant's belief is premised on the fact that the Office Action Summary identifies that the Office Action is "Responsive to communication(s) filed on 26 September 2003". September 26, 2003 is the filing date of the pending application and thus it would appear that the Office Action was sent in response to the filing of the application and not in response to the Preliminary Amendment.

Furthermore, the Preliminary Amendment did not conform to U.S. Patent Office requirements relating to amendments. Accordingly, the Examiner properly did not consider the Preliminary Amendment or enter it.

Nonetheless, to the extent that any portions of the Preliminary Amendment was entered, the Applicant hereby cancels any new matter identified by the Examiner. The Applicant respectfully requests that the Examiner clarify whether any new matter was added to the specification so that the Applicant can formally remove such material if necessary.

### **Drawings**

As requested by the Examiner, the Applicant is submitting new drawings in compliance with 37 CFR 1.121(d). The new drawings are attached to this *Response and Amendment to*

*Office Action.* The Applicant respectfully submits that the new drawings are identical to the drawings filed with the original application and thus the new drawings do not introduce any new matter.

### **Specification**

The Examiner objected to the specification because “the abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4).” (See Office Action p. 3). The Applicant respectfully disagrees with this objection because the originally filed abstract commenced on a separate sheet as required. Nonetheless, to clarify the issue, the Applicant hereby submits a new copy of the abstract on a separate sheet in accordance with the Examiner’s request.

### **Title**

The Examiner objected to the title of the invention because it is not descriptive. Accordingly, the Applicant respectfully requests that the title of the invention be changed to: “Multi-Domain Computer System in a Secure Computer Enclosure”. The Applicant submits that the new title accurately describes the present invention.

### **Claim Objections**

The claims were initially objected to because the lines were crowded too closely together. The Applicant respectfully submits that the originally filed claims complied with the spacing requirements of 37 CFR 1.52(b). Additionally, the present objection is moot in light of the amendments of the present Response and Amendment to Office Action because all of the previously pending claims have been cancelled. Accordingly, the Applicant respectfully submits that the claims are now in proper form.

### **Claim Rejections Under 35 USC § 112**

Claim 12 was initially rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement and claims 1-19 were initially rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Through the present Response

and Amendment to Office Action, the Applicant has cancelled all of the original claims and has submitted new claims. The Applicant respectfully submits that the new claims meet the requirements of 35 USC § 112 and are in condition for allowance.

Additionally, the Examiner objected to the Applicant's use of the term "domain" in the claims. Specifically, the Examiner stated that the term "domain" is used in the claims to mean "a computer with a network card", while the accepted meaning is "a group of computers and devices in a network". Further, the Examiner states that in order to act as his or her own lexicographer, the Applicant must clearly redefine the claim term.

The Applicant respectfully disagrees with the present objection because: (1) the term "domain", when used in secure computer applications has a meaning broader than that cited in the Office Action; and (2) the Applicant's use of the term domain in the specification is sufficient to clearly articulate the Applicant's intended meaning of the term.

Notably, the National Institute of Standards and Technology (NIST) and the National Security Agency (NSA) of the United States have established standards for approving multi-domain systems for use on classified government projects. Multi-domain systems, as used in these standards, refer to systems that are capable of operating in both a secured domain and an unsecured domain. Further, NIST maintains a list of systems that have been approved for classified multi-domain solutions, which can be viewed at [http://niap.nist.gov/cc-scheme/vpl/vpl\\_type.html](http://niap.nist.gov/cc-scheme/vpl/vpl_type.html). Notably, one embodiment of the present invention, as it was reduced to practice, has been approved by NIST and is listed as a "Multiple Domain Solution" at the aforementioned web address, namely the "Secutor Systems Inc. Data Vault X4 v1.0".

Accordingly, the Applicant respectfully submits that the term domain, as it is used in the specification and in the claims, is fully supported by the specification and is consistent with its meaning in the realm of secure systems.

### **Claim Rejections Under 35 USC § 103**

Claims 1-19 were initially rejected under 35 USC § 103(a) as being unpatentable over [www.chassis-plans.com](http://www.chassis-plans.com) in view of [www.tryten.com](http://www.tryten.com). Additionally, the Office Action asserts that [www.chassis-plans.com](http://www.chassis-plans.com) was posted on April 12, 2003 and [www.tryten.com](http://www.tryten.com) was posted on July 20, 2003. However, it is not clear that these web pages were actually published on these

respective dates. Specifically, the references provided attached to the Office Action do not include any copyright dates indicating when they were first published.

Furthermore, the Applicant respectfully submits that the cited references do not disclose each and every element of claims 1-19. The Applicant respectfully submits that the cited references do not teach every limitation of claims 1-19. However, the present rejection is moot because the Applicant has cancelled all of the pending claims and has submitted new claims 20-39. The Applicant respectfully submits that the cited references do not teach each and every element of the new claims.

Nonetheless, the Applicant is submitting herewith a Declaration under 35 USC § 131 attesting to the fact that he conceived of the present invention at least as early as September 2002. Therefore, the cited references do not qualify as prior art and may not be used to render the present invention unpatentable.

#### **FEES**

Through this *Response and Amendment to Office Action*, 19 claims have been cancelled and 20 claims have been added. Accordingly there are now 20 claims pending in the Application, one of which is an independent claim. Accordingly, no claims fees are believed to be due. Additionally, this *Response and Amendment to Office Action* is being filed within six months of the *Final Office Action*, and more specifically within three months, thus no extension fees are believed due. Nonetheless, should any further fees be due, authorization to charge deposit account No. 20-1507 is hereby expressly given.

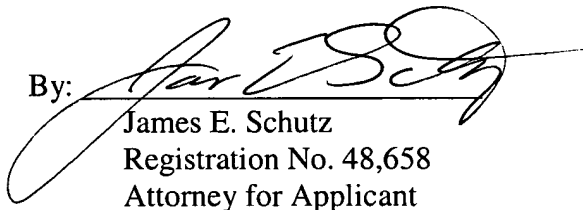
### CONCLUSION

The foregoing is submitted as a full and complete response to the *Official Action* mailed March 31, 2006. It is respectfully submitted that claims 20-39 are in condition for allowance and that each point raised in the Office Action has been fully addressed. Therefore, it is respectfully requested that the rejections be withdrawn and that the case be processed to issuance in accordance with Patent Office Business.

If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please contact James Schutz at 404.885.3498.

Respectfully Submitted

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